

REMARKS

This Amendment is being filed in response to the Final Office Action mailed December 24, 2008, which has been reviewed and carefully considered. By means of the present amendment, claims 2, 9, 17 and 25 have been canceled without prejudice and their features included in independent claims 1, 8, 16 and 23, respectively. Accordingly, no new issues requiring a new search have been introduced and entry of the present Amendment is respectfully requested.

Claims 1, 3-8, 10-16, 18-24 and 26-29 are pending in the application, where claims 2, 9, 17 and 25 have been canceled without prejudice. Claims 1, 8, 16 and 23 are independent.

In the Final Office Action, claims 1-3, 8-11, 16-18 and 23-25 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 6,381,197 (Savord). Further, claims 4-7, 12-15, 19-22 and 26-29 are rejected under §103(a) over Savord in view of U.S. Patent No. 5,938,612 (Kline). Applicant respectfully traverses and submits that claims 1, 3-8, 10-16, 18-24 and 26-29, as amended, are patentable over

Savord and Kline for at least the following reasons.

Savord is directed to a micro-machined ultrasonic transducer (MUT) having aperture, elevation and apodization controlled by apparatus located on the same substrate as the transducer. As described on column 4, lines 36-40, a transducer array 31 shown in FIG 2 is controlled by tractor treading.

It is respectfully submitted that Savord does not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 8, 16 and 23 which, amongst other patentable elements, recites (illustrative emphasis provided) :

a beam controller coupled to said two-dimensional array, said beam controller capable of driving the at least two active acoustic elements to produce said acoustic pulses originating from the two active acoustic elements for impinging an acoustic target to generate the echo signals, and having associated circuitry capable of controlling directional movement of said acoustic pulses by a combination of tractor treading and beam steering.

Savord is completely silent and does not disclose any beam steering control, let alone control by a combination of tractor treading and beam steering, as recited in independent claim 1, and

similarly recited in independent claims 8, 16 and 23. Kline is cited to allegedly show other features and does not remedy the deficiencies in Savord.

Accordingly, it is respectfully submitted that independent claims 1, 8, 16 and 23 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 3-7, 10-15, 18-22, 24 and 26-29 should also be allowed at least based on their dependence from amended independent claims 1, 8, 16 and 23.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

PATENT

Serial No. 10/560,722

Amendment in Reply to Final Office Action of December 24, 2008

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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